

Merton Council

Licensing Sub-Committee

Membership

Councillors:

Mary Curtin

Philip Jones

David Simpson CBE

A meeting of the Licensing Sub-Committee will be held on:

Date: 13 November 2017

Time: 1.30 pm

**Venue: Council chamber - Merton Civic Centre, London Road, Morden
SM4 5DX**

Agenda for this meeting

- 1 Appointment of Chair
- 2 Apologies for Absence
- 3 Declarations of Pecuniary Interest
- 4 Pizza Express, 104 The Broadway, London, SW19 1RH 1 - 30

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda and the decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3616.

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Procedure to be followed at Licensing Hearing

1. The Chair will welcome all parties and all present will be introduced/introduce themselves
2. The Chair will confirm the sub-committee hearing procedures, a copy of which was included in the notice and agenda packs sent to all parties.
3. The Chair will ask the Legal Adviser to inform those present that the sub-committee had a briefing prior to the hearing to confirm the procedure and for clarification on any aspect of the application.
4. The Chair will ask Legal Adviser to confirm the process for questioning and whether there had been any requests for adjournments.
5. The Chair will ask the Licensing Officer if there are any technical issues they feel should be brought to their attention i.e. withdrawal of objector/agreed conditions (Note: If all objections are withdrawn then the Sub-Committee may go straight to point 14. If all conditions are agreed by all parties then the Sub-Committee may go straight to point 14)
6. The Applicant will present their case. Questions can then be asked of the Applicant by the Responsible Authorities, the interested parties and members of the Sub-Committee.
7. The Responsible Authorities will present their case. Questions can then be asked of the Responsible Authorities by the Applicant, the interested parties, and members of the Sub-Committee.
8. Presentation by any interested party. Questions can then be asked of the interested party by the Applicants, the Responsible Authorities and members of the Sub-Committee.
9. The Chair will ask the Licensing Officer for any comments/ clarifications
10. The Chair will ask the Legal Adviser for any comments/clarifications
11. The Chair will invite closing statements by the responsible authorities
12. The Chair will invite closing statements by the interested parties
13. The Chair will invite closing statements by the Applicant
14. The Chair will announce that the Sub-Committee are retiring for private session. The Legal Officer and Clerk will be invited to also retire.
15. In closed session the Sub-Committee will make their decision. They may ask the Legal Officer for advice during this session.
16. The Sub Committee will return and re-open for public session.
17. The Chair will invite the Legal Officer to present the advice provided during private session.
18. The Sub-committee's decision will be read out either by the Chair or the Chair will invite the Legal Officer to do so.
19. The Chair will inform those present that all parties should receive a written copy of the decision notice within 5 working days, and then close the Hearing

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Licensing Sub-Committee Report

Subject of hearing: **Pizza Express, 104 The Broadway, London, SW19 1RH**

Date: **13 November 2017**

Time: **13:30**

Venue: **Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX**

1. Special Policy Area (premises licences and club certificates)

1.1 The premises are in the special policy area. Accordingly the relevant section of Merton's Licensing Policy is particularly relevant to this application though the sub-committee is to have regard to the policy as a whole.

2. Type of hearing and powers of the sub-committee

2.1 The sub-committee is required to determine the application by taking such of the steps set out below as it considers necessary for the promotion of the licensing objectives.

2.2 In making their determination the sub-committee must have regard to the Licensing Act 2003, the licensing objectives, guidance issued by the Secretary of State and Merton's Licensing Policy.

2.3 Variation of premises licence: s35

(i) To modify the conditions on the licence

(ii) To reject the whole or part of the application.

3. Hearing papers

3.1 The applications, notices and representations for determination by the sub-committee are contained in the hearing bundle (attached) together with any relevant existing licence. This includes any documents which must be sent to any of the parties to the hearing under Regulation 7(2) and Schedule 3 of The Licensing Act 2003 (Hearings) Regulations 2005. This bundle has been issued to all parties to the hearing and forms part of this report.

4. Legal advice to the sub-committee

4.1 A legal officer appointed by the South London Legal Partnership will attend the hearing to advise the sub-committee on statutory provision and legal matters.

5. Licensing Officer Comments

5.1 This is an application to vary an existing premises licence.

5.2 The applicant is wishing to change their licence to allow for off sales of alcohol on Monday to Saturday 10:00 to midnight and Sunday 10:00 to 23:30. Their licence already allows on sales of alcohol during these times.

5.3 They are also applying to add conditions to the licence which they state were agreed with the Police. These are stated on page 2 of the application form included in this report.

5.4 We have received one representation against the application.

5.5 We are not aware of any communication between the parties.

For enquiries about this hearing please contact

Democratic Services

Civic Centre

London Road

Morden

SM4 5DX

Telephone: 020 8545 3357

Email: democratic.services@merton.gov.uk

Parties to the hearing

This document forms part of the notice of hearing.
The following are parties to the hearing having submitted relevant applications, notices or representations under the statutory provisions indicated:

Applicant	
Pizza Express (Restaurants) Limited, 104 The Broadway, SW19 1RH	
Statutory Authorities	
None	
Interested Parties	
Kristian Wiggert	

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Merton London Borough Council

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We PizzaExpress (Restaurants) Limited

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number LN/000000811
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description PizzaExpress 104 The Broadway			
Post town	Wimbledon	Post code	SW19 1RH

Telephone number at premises (if any)	0208 5431010
Non-domestic rateable value of premises	£37,500.00

Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]		
Current residential address if different from premises address	[REDACTED]		
Post Town	[REDACTED]	Postcode	[REDACTED]

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not, from what date do you want the variation to take effect?

Day		Month		Year	

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (Please read guidance note

1. For "off sales only" :- To permit off sales Monday to Saturday 10:00 to 00:00 and Sunday 10:00 to 23:30;
2. To add the following conditions to the premises licence as agreed with the Police :-
 - The Designated Premises Supervisor will satisfy themselves that the authorised food delivery company have placed warnings on relevant websites and menus indicating that alcohol is not for sale to persons under the age of 18. They will also ensure that the authorised food delivery company have adequately trained their delivery personnel to ensure that they request necessary identification in accordance with their Challenge 25 Policy and in the event that such identification cannot be produced will return the alcohol to the premises. Should alcohol be returned to the premises in these circumstances the return will be recorded at the premises and a record kept for production to authorised officers upon request. As part of the process involving any order containing alcohol a reminder will be sent to the delivery driver to check for appropriate identification in accordance with the Challenge 25 Policy.
 - Alcohol for consumption off the premises must only be purchased in addition to a meal.
3. To amend the current condition under Annex 2, and under "Alcohol sales" to read as follows :-
 - **For on sales only** – "intoxicating liquor shall not be sold or supplied otherwise than to persons taking table meals and for consumption by such a person as an ancillary to his meal.
 - The supply of intoxicating liquor will be by waiter / waitress service only
 - There will be drinks other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as ancillary to meals served at all times the premises are open"

All other licensable activities and timings for such licensable activities will remain as existing.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

n/a

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment (Please read guidance note 3)

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Please tick all that apply

-
-
-
-
-
-
-
-

Provision of late night refreshment (if ticking yes, fill in box I)

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors
Day	Start	Finish		Outdoors
Mon			Please give further details here (please read guidance note 5)	Both
Tue				
Wed			State any seasonal variations for performing plays (please read guidance note 6)	
Thur				
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)	
Sat				
Sun				

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)		
Day	Start	Finish			
Mon			State any seasonal variations for indoor sporting events (please read guidance note 6)		
Tue					
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)		
Thur					
Fri					
Sat					
Sun					

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)			
Mon						
Tue			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)			
Wed						
Thur			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)			
Fri						
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 5)			
Mon						
Tue			State any seasonal variations for the performance of live music (please read guidance note 6)			
Wed						
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 7)			
Fri						
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 6)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)		
Day	Start	Finish		Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 5)		
Wed					
Thur			State any seasonal variations for the provision of late night refreshment (please read guidance note 6)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 7)		
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 9)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input checked="" type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 6)					
Mon	10:00	00:00						
Tue	10:00	00:00						
Wed	10:00	00:00						
Thur	10:00	00:00				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 7)		
Fri	10:00	00:00						
Sat	10:00	00:00						
Sun	10:00	23:30						
			No change to non-standard timings.					

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)			
Day	Start	Finish				
Mon						
Tue						
Wed						
Thur					Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)	
Fri						
Sat						
Sun						

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

N/A

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

N/A

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

See conditions agreed with the Police – all existing measures will continue.

b) The prevention of crime and disorder

See box a) above

c) Public safety

See box a) above

d) The prevention of public nuisance

See box a) above

e) The protection of children from harm

See box a) above

Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because this application has

been made in relation to the introduction of the late night levy

- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 13). If signing on behalf of the applicant please

Signature	
Date	26 September 2017
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)

Judy Willis
Poppleston Allen Solicitors
37 Stoney Street
The Lace Market

Post town	Nottingham	Post code	NG1 1LS
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Telephone number (if any)	0115 953 8511
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If you would prefer us to correspond with you by e-mail your e-mail address (optional)



Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

3. In terms of specific regulated entertainments please note that:
- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;

- o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.



LICENSING ACT 2003

Part A Premises licence

Premises licence number

LN/00000811

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Pizza Express
104 The Broadway
London
SW19 1RH

020 8543 1010

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	10:00	-	00:00
Tuesday	10:00	-	00:00
Wednesday	10:00	-	00:00
Thursday	10:00	-	00:00
Friday	10:00	-	00:00
Saturday	10:00	-	00:00
Sunday	10:00	-	23:30

Good Friday: 10:00 until 23.30.

Christmas Day: 12.00 to 15.00 and 19:00 to 23:30.

New Year's Eve: 10:00 on New Year's Eve until 00:00 on New Year's Day.



Sale & supplies of alcohol, whether these are on and/or off supplies

On the premises

Licensable activities and permitted times authorised by the licence

Alcohol Sales

On the premises

Monday	10:00	-	00:00
Tuesday	10:00	-	00:00
Wednesday	10:00	-	00:00
Thursday	10:00	-	00:00
Friday	10:00	-	00:00
Saturday	10:00	-	00:00
Sunday	10:00	-	23:30

On Good Friday, between 10.00 and 23.30 hours.

On Christmas Day, from 12.00 to 15.00 and 19:00 to 23:30. Alcohol may only be sold between 15:00 & 19:00 when ancillary to a table meal.

When New Year's Eve is on a weekday, from 10.00 on New Year's Eve until 23.00 hours on New Year's Day, except when New Year's Day is on a Sunday, then the sale of alcohol shall cease at 22.30.

When New Year's Eve is on a Sunday, from 12.00 on New Year's Eve until 23.00 hours on New Year's Day.

On Christmas Day, alcohol may be sold between 15.00 and 19.00 hours when ancillary to a table meal.

On days, other than Christmas Day, alcohol may be sold for one hour after the hours stated above when ancillary to a table meal.

The Deregulation (Restaurant Licensing Hours) Order 2002 permits: In addition to the foregoing times, during the first half hour after the end of permitted hours, the consumption of liquor on the premises by persons taking meals, if the liquor was supplied for consumption as an ancillary to a meal.



Intoxicating liquor shall not be sold or supplied otherwise than to persons taking table meals and for consumption by such a person as an ancillary to their meal.

The supply of intoxicating liquor will be by waiter/waitress service only.

There will be drinks other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as ancillary to meals served at all times the premises are open.

Recorded Music - 24 hours

Late Night Refreshment

Indoors

Monday	23:00	-	00:30
Tuesday	23:00	-	00:30
Wednesday	23:00	-	00:30
Thursday	23:00	-	00:30
Friday	23:00	-	00:30
Saturday	23:00	-	00:30
Sunday	23:00	-	00:00

The premises may also provide private entertainment for the purposes of gain at any time.

Part 2

Name, (registered) address, telephone number of holder(s) of premises licence

PizzaExpress (Restaurants) Limited
Hunton House
Highbridge Estate
Oxford Road
Uxbridge
Middlesex
UB8 1HU

0845 3899 489

Registered number of holder, ie company number, charity number etc.

2805490

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Gloria Rodriguez



Issuing authority and licence number of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

London Borough of Merton LN 2010 2214



ANNEX 1 TABLE OF MANDATORY CONDITIONS UNDER THE LICENSING ACT 2003

1. That no supply of alcohol may be made under the premises licence
(a) at a time when there is no designated premises supervisor in respect of the premises licence, or
(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. That every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. Where one or more individuals must be at the premises to carry out a security activity, each such individual must be licensed by the Security Industry Authority by a licence granted under the Private Security Industry Act 2001 or entitled to carry out that activity by virtue of section 4 of the Private Security Industry Act 2001.
4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises –
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - i. drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii. drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).



5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
(a) a holographic mark, or
(b) an ultraviolet feature.

7. The responsible person must ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

8. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

9. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or



(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

Where the permitted price given by paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

10. The admission of children to the exhibition of any film is to be restricted in accordance with any recommendation made by the relevant film classification body or relevant licensing authority.

11. No condition may be attached to the licence as to the nature of the plays which may be performed, or the manner of performing plays, under a licence that permits the performance of plays.



Annex 2

Conditions consistent with the Operating Schedule

- Intoxicating liquor shall not be sold or supplied otherwise than to persons taking table meals and for consumption by such a person as an ancillary to his meal
- The supply of intoxicating liquor will be by waiter/waitress service only
- There will be drinks other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as ancillary to meals served at all times the premises are open

Annex 3 - Conditions attached after a hearing by the licensing authority

NONE FOR THE PURPOSES OF THIS CONVERSION UNDER THE TRANSITIONAL PROVISIONS OF THE LICENSING ACT 2003

Annex 4

Premises Plan: Drawing 'PE108_DD015' of 22/01/2010.



LICENSING ACT 2003

Part B Premises licence summary

Premises licence number

LN/00000811

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Pizza Express
104 The Broadway
London
SW19 1RH

020 8543 1010

Where the licence is time limited, the dates

Not applicable

The opening hours of the premises

Monday	10:00	-	00:00
Tuesday	10:00	-	00:00
Wednesday	10:00	-	00:00
Thursday	10:00	-	00:00
Friday	10:00	-	00:00
Saturday	10:00	-	00:00
Sunday	10:00	-	23:30

Good Friday: 10:00 until 23.30.

Christmas Day: 12.00 to 15.00 and 19:00 to 23:30.

New Year's Eve: 10:00 on New Year's Eve until 00:00 on New Year's Day.



Sale & supplies of alcohol, whether these are on and/or off supplies

On the premises

Licensable activities and permitted times authorised by the licence

Alcohol Sales

On the premises

Monday	10:00	-	00:00
Tuesday	10:00	-	00:00
Wednesday	10:00	-	00:00
Thursday	10:00	-	00:00
Friday	10:00	-	00:00
Saturday	10:00	-	00:00
Sunday	10:00	-	23:30

On Good Friday, between 10.00 and 23.30 hours.

On Christmas Day, from 12.00 to 15.00 and 19:00 to 23:30. Alcohol may only be sold between 15:00 & 19:00 when ancillary to a table meal.

When New Year's Eve is on a weekday, from 10.00 on New Year's Eve until 23.00 hours on New Year's Day, except when New Year's Day is on a Sunday, then the sale of alcohol shall cease at 22.30.

When New Year's Eve is on a Sunday, from 12.00 on New Year's Eve until 23.00 hours on New Year's Day.

On Christmas Day, alcohol may be sold between 15.00 and 19.00 hours when ancillary to a table meal.

On days, other than Christmas Day, alcohol may be sold for one hour after the hours stated above when ancillary to a table meal.

The Deregulation (Restaurant Licensing Hours) Order 2002 permits: In addition to the foregoing times, during the first half hour after the end of permitted hours, the consumption of liquor on the premises by persons taking meals, if the liquor was supplied for consumption as an ancillary to a meal.



Intoxicating liquor shall not be sold or supplied otherwise than to persons taking table meals and for consumption by such a person as an ancillary to their meal.

The supply of intoxicating liquor will be by waiter/waitress service only.

There will be drinks other than intoxicating liquor (including drinking water) shall be equally available for consumption with or otherwise as ancillary to meals served at all times the premises are open.

Recorded Music - 24 hours

Late Night Refreshment

Indoors

Monday	23:00	-	00:30
Tuesday	23:00	-	00:30
Wednesday	23:00	-	00:30
Thursday	23:00	-	00:30
Friday	23:00	-	00:30
Saturday	23:00	-	00:30
Sunday	23:00	-	00:00

The premises may also provide private entertainment for the purposes of gain at any time.



Part 2

Name, (registered) address, telephone number of holder(s) of premises licence

PizzaExpress (Restaurants) Limited
Hunton House
Highbridge Estate
Oxford Road
Uxbridge
Middlesex
UB8 1HU

0845 3899 489

Registered number of holder, ie company number, charity number etc.

2805490

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Gloria Rodriguez

From: Kristian Wiggert
Sent: 20 October 2017 11:58
To: Licensing
Subject: Premises Licence Variation App Reference WK/201706366

Dear Sir or Madam

We write to object to the proposed variation of the licence to Pizza Express, 104 The Broadway, contained in the above-referenced application. We are residents of the area near the applicant's premises.

We understand that the main variation requested is to allow sale of alcohol off the premises. We believe the Town Centre area is already saturated with off licence premises. Indeed the area is already designated as a high impact area by the Council. Adding yet another premises with an off licence will only serve to worsen the disorder and nuisance that arises on many evenings in the area, disturbing residents and consuming scarce police resources.

We are also concerned that the obvious intent of this licence variation is to allow alcohol to be sent through delivery services. There is a claim that delivery personnel will be trained to prevent underage purchasers from buying alcohol through this channel, but we do not believe this is credible. Personnel of most of these services are treated as independent contractors and are unlikely to be adequately supervised or incentivised to act according to the licence terms. Certainly such personnel are very much at arm's length from the applicant. Thus the applicant is asking to be able to outsource its licence responsibilities to an unaccountable third party delivery service. We believe this does not adequately protect underage people from harm.

For the reasons above we urge you to reject this application.

Yours faithfully

Kristian Wiggert

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